

Exhibit 46

Redacted Public Version

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

-ooOoo-

NIKE, INC., :
Plaintiff, :
vs. : No. 1:22-cv-00983-VEC
STOCKX LLC, :
Defendant. :
_____ :

DEPOSITION OF BROCK HUBER
TAKEN THROUGH
ADVANCED REPORTING SOLUTIONS, a Veritext company

Taken on Thursday, June 29, 2023
9:30 a.m. to 12:38 p.m.

At HYATT CENTRIC PARK CITY
3551 North Escala Court
Park City, Utah 84098

Reported by: Abigail D.W. Johnson, RPR, CRR, CRC

<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES</p> <p>2</p> <p>3 For the Plaintiff:</p> <p>4 Tamar Y. Duvdevani</p> <p>5 Marc E. Miller</p> <p>6 DLA PIPER</p> <p>7 1251 Avenue of the Americas</p> <p>8 New York, New York 10020-1104</p> <p>9 Tamar.duvdevani@dlapiper.com</p> <p>10 Marc.miller@dlapiper.com</p> <p>11 (212) 335-4799</p> <p>12</p> <p>13 For the Defendant:</p> <p>14 Christopher S. Ford</p> <p>15 DEBEVOISE & PLIMPTON LLP</p> <p>16 650 California Street</p> <p>17 San Francisco, California 94108</p> <p>18 Csford@debevoise.com</p> <p>19 (415) 738-5705</p> <p>20</p> <p>21 For StockX:</p> <p>22 Kevin Adams</p> <p>23 Deputy General Counsel</p> <p>24 StockX</p> <p>25</p> <p>Also Present: McKayla Largin (videographer)</p> <p>-ooOoo-</p>	<p style="text-align: right;">Page 4</p> <p>1 June 29, 2023 9:26 a.m.</p> <p>2 PROCEEDINGS</p> <p>3 -o0o-</p> <p>4 VIDEOGRAPHER: Good morning. We are going</p> <p>5 on the record at 9:26 a.m. on June 29th, 2023. This is</p> <p>6 the media deposition of the 30(b)(6) witness of Brock</p> <p>7 Huber in the matter of Nike, Inc. versus StockX, LLC.</p> <p>8 Case No. 1:22-cv-00983-VEC.</p> <p>9 This deposition is held at the Hyatt in</p> <p>10 Park City, Utah. My name is McKayla Largin. I am the</p> <p>11 videographer, and Abby Johnson is the court reporter.</p> <p>12 Will all counsel state who they represent</p> <p>13 for the record?</p> <p>14 MS. DUVDEVANI: Good morning. Tamar</p> <p>15 Duvdevani, DLA Piper, on behalf of Plaintiff, Nike,</p> <p>16 Inc. I am joined by my partner, Mark Miller, also of</p> <p>17 DLA Piper.</p> <p>18 MR. FORD: Good morning. Christopher Ford,</p> <p>19 Debevoise & Plimpton for StockX, LLC. I am joined by</p> <p>20 in-house counsel for StockX, Kevin Adams.</p> <p>21 Thereupon --</p> <p>22 BROCK HUBER,</p> <p>23 was called as a witness, and having been first duly</p> <p>24 sworn to tell the truth, the whole truth, and nothing</p> <p>25 but the truth, testified as follows:</p>
<p style="text-align: right;">Page 3</p> <p>1 INDEX</p> <p>2 EXAMINATIONS PAGE</p> <p>3 Examination By Ms. Duvdevani..... 5</p> <p>4 Examination By Mr. Ford.....95</p> <p>5</p> <p>6 EXHIBITS</p> <p>7 EXHIBIT NO. DESCRIPTION PAGE</p> <p>8 Exhibit 1 Deposition Notice..... 5</p> <p>9 Exhibit 2 Worksheet printout..... 6</p> <p>10 Exhibit 3 Screenshot and video 72</p> <p>11 [STX0806022 and STX0806023]</p> <p>12 Exhibit 4 Screenshot and video 81</p> <p>13 [STX0806003 and STX0806004]</p> <p>14 Exhibit 5 Screenshot and video 82</p> <p>15 [STX0806001 and STX0806002]</p> <p>16 Exhibit 6 Screenshot and video 85</p> <p>17 [STX0806015 and STX0806016]</p> <p>18 Exhibit 7 Screenshot and video 87</p> <p>19 [STX0805999 and STX0806000]</p> <p>20 Exhibit 8 Place holder and video 89</p> <p>21 [STX0806021]</p> <p>22 -o0o-</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 EXAMINATION</p> <p>2 BY MS. DUVDEVANI:</p> <p>3 Q. Good morning, Mr. Huber.</p> <p>4 A. Good morning.</p> <p>5 Q. I'm just going to first mark the deposition</p> <p>6 notice that brings us all back together today.</p> <p>7 (Exhibit No. 1 was marked</p> <p>8 for identification.)</p> <p>9 BY MS. DUVDEVANI:</p> <p>10 Q. Mr. Huber, the court reporter has just</p> <p>11 handed you a document that's been designated as</p> <p>12 Exhibit 1. It is Plaintiff Nike, Inc.'s Amended</p> <p>13 Deposition Notice of Rule 30(b)(6) Deposition to</p> <p>14 StockX, LLC.</p> <p>15 On page 6 and page 7, there are a list of</p> <p>16 deposition topics, which I can represent your counsel</p> <p>17 objected to some of them.</p> <p>18 But do you understand that you are the</p> <p>19 designated witness to testify today pursuant to this</p> <p>20 amended notice?</p> <p>21 A. Yes, I do.</p> <p>22 Q. Okay.</p> <p>23 MS. DUVDEVANI: This is the big --</p> <p>24 MR. FORD: You are just doing it at once?</p> <p>25 MS. DUVDEVANI: Might as well.</p>

<p style="text-align: right;">Page 6</p> <p>1 THE WITNESS: It looks different printed 2 out. 3 (Exhibit No. 2 was marked 4 for identification.) 5 BY MS. DUVDEVANI: 6 Q. Mr. Huber, the court reporter has handed 7 you a document that has been designated as Exhibit 2. 8 I note that you just said it looks a little different. 9 I assume you mean from you viewing the same documents 10 online. 11 A. Yes, that's right. 12 Q. Okay. We are certainly going to get into 13 details about Exhibit 2. What I'd like you to do first 14 and foremost, and feel free to leaf through it to make 15 sure it's everything that you recognize, is just very, 16 very generally describe what Exhibit 2 is. 17 A. Okay. This looks like the same document 18 that I reviewed on a computer. It's an Excel 19 spreadsheet. It features four tabs put together at 20 kind of different times, in some cases with different 21 purposes, in response to an incident regarding one of 22 our buyers, Mr. Roy Kim, who alleged to have received 23 some items that he suspected were inauthentic. 24 Q. Okay. And what -- starting with the first 25 tab -- and let me also just note for the record that</p>	<p style="text-align: right;">Page 8</p> <p>1 course of business at StockX. A seller was paired with 2 a buyer. The buyer in this case being Roy Kim. The 3 items were shipped from the seller to one of our 4 authentication centers, passed through our proprietary 5 verification process and were ultimately shipped out to 6 this buyer. 7 Q. Okay. And you stated in connection with 8 your testimony regarding Abe Zurita -- is that his last 9 name? 10 A. Mm-hmm. 11 Q. That the products that appear -- strike 12 that -- the order numbers associated with the products 13 that were shipped to Roy Kim were returned by Roy Kim; 14 is that correct? 15 A. Yes. That is correct. That is our policy 16 and has always been our policy. If an end buyer has an 17 issue with an order, they reach out to our customer 18 service. They suspect something they received is 19 inauthentic. We will initiate a review, which 20 typically starts with receiving some pictures of the 21 items in question. And after that photographic review, 22 if we continue to have doubts with the order, we will 23 ask the buyer to send it back to us for an inspection, 24 like the one that Abe did here. 25 Q. Okay. So it's your testimony that Abe</p>
<p style="text-align: right;">Page 7</p> <p>1 Exhibit 2 was designated by StockX as having a Bates 2 stamp of STX0806024, even though it's not on the 3 printout. That is how it was produced. 4 You mentioned that there are several tabs. 5 Starting with the first tab, which I believe is just 6 the first two pages of the printout, can you generally 7 describe what this first tab of Exhibit 2 contains in 8 terms of content? 9 A. Yes. So this spreadsheet was primarily, 10 but not entirely, created by Abe Zurita, who manages -- 11 or at the time was managing our Tempe, Arizona, 12 authentication center. And he was asked to receive and 13 reinspect some items that had made their way to an end 14 buyer. 15 And this initial sheet, this first tab 16 here, these first two pages, are primarily the work 17 product of that assignment that was given to him with a 18 few exceptions. 19 Q. You stated products made their way to an 20 end buyer. Was that end buyer Roy Kim? 21 A. Yes, I believe all 33 items listed here 22 were items received by Roy Kim. 23 Q. Okay. And when you say "made their way to 24 Roy Kim," how did they make their way to Roy Kim? 25 A. They made their way through the ordinary</p>	<p style="text-align: right;">Page 9</p> <p>1 reinspected all of the products associated with the 2 order numbers on the first tab of Exhibit 2; is that 3 correct? 4 A. So -- so both Abe, which you can see in 5 Column I, reauthenticated these, as well as John Lopez, 6 who coincidentally was out at that facility for the 7 week, but that was just luck -- as luck would have it, 8 he was there. 9 Q. And when you say "John Lopez," is that 10 referring to the name "Johnny" in exhibit -- 11 A. That is Johnny -- 12 Q. -- in Column J? 13 A. -- Yes. 14 Q. And did Abe and Mr. Lopez reach a 15 determination as to whether or not the product shipped 16 to Roy Kim and returned that appears in Exhibit 2 were 17 authentic? 18 MR. FORD: Objection to the form of the 19 question. 20 THE WITNESS: They -- they concluded that 21 these items were not fit to transact on our platform. 22 BY MS. DUVDEVANI: 23 Q. Did they conclude that these items were not 24 fit to transact on your platform because they were not 25 authentic?</p>

<p style="text-align: right;">Page 10</p> <p>1 MR. FORD: The same objection.</p> <p>2 THE WITNESS: They concluded that they were</p> <p>3 not fit to transact because they were suspected to be</p> <p>4 inauthentic.</p> <p>5 BY MS. DUVDEVANI:</p> <p>6 Q. Okay. Was there no definitive</p> <p>7 determination by either Abe or Mr. Lopez regarding the</p> <p>8 authenticity of the products associated with the order</p> <p>9 numbers listed in Exhibit 2?</p> <p>10 MR. FORD: The same objection.</p> <p>11 Sorry. Go ahead.</p> <p>12 THE WITNESS: I would say there was a</p> <p>13 definitive determination that they weren't fit to</p> <p>14 transact. But we don't make definitive legal</p> <p>15 determinations as to whether something is considered</p> <p>16 counterfeit or not.</p> <p>17 BY MS. DUVDEVANI:</p> <p>18 Q. Putting a legal determination aside, did</p> <p>19 StockX reach any conclusions upon the return of the</p> <p>20 products listed in Exhibit 2 as to whether or not they</p> <p>21 were fake?</p> <p>22 MR. FORD: Objection to the form of the</p> <p>23 question.</p> <p>24 THE WITNESS: They -- again, we concluded</p> <p>25 that they were not fit to transact on our platform. We</p>	<p style="text-align: right;">Page 12</p> <p>1 summarized, in relatively short form here, the issues</p> <p>2 that they found upon reinspecting these items that made</p> <p>3 them come to the conclusion that these were not fit to</p> <p>4 transact on our platform.</p> <p>5 Q. I understand your testimony that your</p> <p>6 employees determined that the products were not fit to</p> <p>7 be -- to transact on your platform. It sounds like</p> <p>8 your testimony is that StockX could not determine, one</p> <p>9 way or another, whether or not the products were</p> <p>10 genuine.</p> <p>11 Is that your testimony?</p> <p>12 MR. FORD: Objection to the form of the</p> <p>13 question as to the characterization.</p> <p>14 You can answer.</p> <p>15 THE WITNESS: No. I think -- again, the</p> <p>16 point of our proprietary verification process is to</p> <p>17 determine if an item meets our standard, and if we want</p> <p>18 to have that item to be eligible to transact on the</p> <p>19 platform.</p> <p>20 And so upon reinspection, the determination</p> <p>21 was that these items did not meet our standard.</p> <p>22 BY MS. DUVDEVANI:</p> <p>23 Q. And that StockX was suspicious that they</p> <p>24 were fake; correct?</p> <p>25 MR. FORD: Objection to the form of the</p>
<p style="text-align: right;">Page 11</p> <p>1 concluded that the buyer was entitled to a refund. And</p> <p>2 we had some suspicions that these items could</p> <p>3 potentially be inauthentic.</p> <p>4 BY MS. DUVDEVANI:</p> <p>5 Q. Is it your testimony that the StockX</p> <p>6 employees, who re-authenticated these products, just</p> <p>7 could just not tell whether or not these products were</p> <p>8 authentic?</p> <p>9 A. Again, I think, you know, it's important to</p> <p>10 always go back to the fact that this is our proprietary</p> <p>11 verification process, the standards that we created.</p> <p>12 And so it was very definitive that these did not meet</p> <p>13 our standards.</p> <p>14 Q. Was it definitive whether or not the</p> <p>15 products were genuine Nike products?</p> <p>16 A. I think we suspected they were inauthentic,</p> <p>17 and that made us definitively say they could not be</p> <p>18 transacted on our platform.</p> <p>19 Q. And we'll go through them one by one, but</p> <p>20 generally speaking, what were your suspicions based on?</p> <p>21 A. So with the creation of this sheet and</p> <p>22 having talked to Abe and John both, they were simply</p> <p>23 given instruction to review these and say, "Hey, take</p> <p>24 another look. We are getting a return from a buyer."</p> <p>25 And I believe if we look at Column R, they</p>	<p style="text-align: right;">Page 13</p> <p>1 question.</p> <p>2 THE WITNESS: Yes, I believe both of these</p> <p>3 authenticators suspected these items were not</p> <p>4 authentic.</p> <p>5 BY MS. DUVDEVANI:</p> <p>6 Q. What does the word "suspicious" mean when</p> <p>7 you are using it in the context that you're testifying</p> <p>8 today?</p> <p>9 A. Are you asking when I say it or where it</p> <p>10 appears in the sheet?</p> <p>11 Q. Are those two different definitions?</p> <p>12 A. Yeah, the context would be a bit different.</p> <p>13 Q. Okay. Let's start with your testimony.</p> <p>14 A. So when I say "suspicious," I mean there</p> <p>15 are some issues, some -- it could be manufacturing</p> <p>16 defects. It could be some issues with the color. It</p> <p>17 could be some issues with the material, the shape.</p> <p>18 And you know, with items that are created</p> <p>19 and scaled, there's going to be some variation. And so</p> <p>20 there may be some tells that create suspicion. And we</p> <p>21 say, "We are not sure about this. As a result, it may</p> <p>22 not meet our standard." And we may fail it due to</p> <p>23 those suspicious attributes.</p> <p>24 Q. Suspicious of what?</p> <p>25 A. Potentially being inauthentic.</p>

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1 Q. Okay. Am I correct that one element of
2 StockX's proprietary verification process is whether
3 the item is authentic?

4 A. So our -- our guarantee that we've always
5 had is that we verify every single item. And we
6 guarantee that you are going to get an item that is
7 exactly as expected. It's what you wanted. It's the
8 right size. It is the right colorway. It's in brand
9 new condition. It has the accessories. And that this
10 item would be a legitimate item from the manufacturer.

[illegible]

Page 15

[illegible]

Page 16

[illegible]

Page 17

[illegible]

<p>Page 30</p> <p>[REDACTED]</p>	<p>Page 32</p> <p>[REDACTED]</p>
<p>Page 31</p> <p>[REDACTED]</p>	<p>Page 33</p> <p>[REDACTED]</p>

<p>Page 34</p> <p>[REDACTED]</p>	<p>Page 36</p> <p>[REDACTED]</p>
<p>Page 35</p> <p>[REDACTED]</p>	<p>Page 37</p> <p>[REDACTED]</p>

<p>Page 38</p> <p>[REDACTED]</p>	<p>Page 40</p> <p>[REDACTED]</p>
<p>Page 39</p> <p>[REDACTED]</p>	<p>Page 41</p> <p>[REDACTED]</p> <p>11 Would you agree with me that Roy Kim</p> <p>12 returned more than 33 sneakers?</p> <p>13 A. No. He returned 33 sneakers.</p> <p>14 Q. Okay. Continuing on, just let's get</p> <p>15 through this, this first tab, and then we can take a</p> <p>16 little break.</p> <p>[REDACTED]</p>

11 (Pages 38 - 41)

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1 [REDACTED]
2 [REDACTED]
3 [REDACTED]

4 Q. Sounds like it's a good time for a break
5 then.
6 A. Yeah, let's do it.
7 Q. Okay.
8 VIDEOGRAPHER: We are off the record. The
9 time is 10:30.
10 (Recess was taken.)
11 VIDEOGRAPHER: We are back on the record.
12 The time is 10:50.
13 Counsel may proceed.
14 BY MS. DUVDEVANI:
15 Q. Okay. What did you do to prepare for
16 today's deposition?
17 A. I spent some time with Abe Zurita. I spent
18 some time with John Lopez, with Mark Porteous. And
19 Jennifer from Mark Porteous' team and asked them
20 questions, given their varied involvement in the
21 preparation of these materials, and just asked them to
22 recall what they could about the -- the time about a
23 year ago.
24 Q. Okay. Did you do anything else?
25 A. I prepared with the legal advisors as well.

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1 Q. When did that preparation take place?
2 A. The last week or so.
3 Q. For how long did you -- are you saying that
4 you met with your legal counsel to prepare for today?
5 A. Certainly, they guided the sessions, and
6 they asked the questions as well where we were --
7 MR. FORD: Just yes or no.
8 BY MS. DUVDEVANI:
9 Q. Just yes or no. I don't want to know
10 exactly what you talked about.
11 A. Sure. Yes.
12 Q. How many sessions were there?
13 A. Four or five sessions.
14 Q. Okay. I know that this was a slightly
15 longer break than usual, did that preparation continue
16 during the break just now?
17 A. We were trying to get the answers to some
18 of the questions you asked us to look into --
19 Q. Okay.
20 A. -- on the break.
21 Q. Okay. Were you able to?
22 A. Yes.
23 Q. Okay. What did you find out during the
24 break?
25 A. Raymond Jones worked for us about two

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1 years.
2 Q. Two years?
3 A. Two years.
4 Q. As an authenticator?
5 A. As an authenticator.
6 Q. Do you know when he was terminated?
7 A. I don't know the exact date, but it would
8 have been the summer of last year.
9 Q. Okay.
10 A. He was the only one, like I said earlier,
11 that was terminated in connection with our Roy Kim
12 investigation, but about half the folks that are on
13 this list are no longer with the company. I tried to
14 memorize them all. It was a little too hard. And then
15 Abe has been with us for five years, as I said before
16 earlier.
17 Q. Okay. And do you know if any of the other
18 authenticators, who are no longer with the company,
19 were terminated, or you don't know that?
20 A. They were not terminated in conjunction
21 with this at all. I don't know the reasons for their
22 exits.
23 Q. Do you know if they were terminated for
24 other errors made in authentication?
25 A. I don't know. The other thing that I

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1 checked, this person who is still investigating, was
2 ultimately deemed not to be part of the group that we
3 had kind of made a circle around.
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

	Page 70		Page 72
1 [REDACTED]		1 Q. Okay. Okay.	
2 [REDACTED]		2 MS. DUVDEVANI: All right. Let's go off	
3 [REDACTED]		3 the record for a few minutes while we set up the	
4 [REDACTED]		4 record.	
5 [REDACTED]		5 VIDEOGRAPHER: Off the record. The time is	
6 [REDACTED]		6 11:37 [sic].	
7 [REDACTED]		7 (Recess was taken.)	
8 [REDACTED]		8 VIDEOGRAPHER: Going back on the record.	
9 [REDACTED]		9 The time is 11:26.	
10 [REDACTED]		10 BY MS. DUVDEVANI:	
11 [REDACTED]		11 Q. Okay. Mr. Huber, there is now a screen in	
12 [REDACTED]		12 front of you containing some videos that were produced	
13 [REDACTED]		13 by StockX. I'll represent that those videos were also	
14 [REDACTED]		14 produced along with a corresponding page that appears	
15 [REDACTED]		15 to be a screenshot of each video.	
16 [REDACTED]		16 So what I'm going to do is just for ease of	
17 [REDACTED]		17 reference is mark the screenshot of the video, and then	
18 [REDACTED]		18 we will watch the corresponding video. Make sense?	
19 [REDACTED]		19 A. Yes.	
20 [REDACTED]		20 Q. So the first one.	
21 [REDACTED]		21 (Exhibit No. 3 was marked	
22 [REDACTED]		22 for identification.)	
23 [REDACTED]		23 BY MS. DUVDEVANI:	
24 [REDACTED]		24 Q. The court reporter has just handed you a	
25 [REDACTED]		25 very blurry image designated as Exhibit 3 containing	
13 Q. Okay.			
14 MS. DUVDEVANI: Let's take another break.			
15 VIDEOGRAPHER: We are off the record. The			
16 time is 11:37.			
17 (Recess was taken.)			
18 VIDEOGRAPHER: We are back on the record.			
19 The time is 11:34.			
20 BY MS. DUVDEVANI:			
21 Q. After Copy of Referenced Social Media,			
22 there was another tab provided in this document called,			
23 "Copy of Entire Trade History." Don't worry, I'm not			
24 going to go through the whole thing.			
25 A. Let's do it.			
	Page 71		Page 73
1 Q. Well, that will exceed my three-hour		1 the Bates stamp STX0806022, which corresponds with a	
2 negotiated time limit.		2 video that's been Bates-stamped as STX0806023.	
3 [REDACTED]		3 So let me know if you can locate the video	
4 [REDACTED]		4 with that Bates stamp on the laptop in front of you.	
5 [REDACTED]		5 A. I have located it.	
6 [REDACTED]		6 Q. Okay.	
7 [REDACTED]		7 MR. FORD: And just for the record, we are	
8 [REDACTED]		8 marking as Exhibit 3, both the image ending in 022 and	
9 [REDACTED]		9 the video file ending in 023 as the exhibit?	
10 [REDACTED]		10 MS. DUVDEVANI: I think that is the most	
11 [REDACTED]		11 practical way to do it, since we can't stick a sticker	
12 [REDACTED]		12 on the video, yes.	
13 [REDACTED]		13 MR. FORD: Okay.	
14 [REDACTED]		14 MS. DUVDEVANI: So thank you for your	
15 [REDACTED]		15 clarification, Mr. Ford.	
16 [REDACTED]		16 BY MS. DUVDEVANI:	
17 [REDACTED]		17 Q. All right. Let's go ahead and press play	
18 [REDACTED]		18 on the count of 3, ready? 1, 2, 3. And then we will	
19 [REDACTED]		19 watch it one time through and then I might ask	
20 [REDACTED]		20 questions about it as we go.	
21 [REDACTED]		21 [Video played.]	
22 [REDACTED]		22 THE WITNESS: It's over.	
23 [REDACTED]		23 BY MS. DUVDEVANI:	
24 [REDACTED]		24 [REDACTED]	
25 [REDACTED]		25 [REDACTED]	

<p>Page 74</p> <p>[REDACTED]</p>	<p>Page 76</p> <p>[REDACTED]</p>
<p>Page 75</p> <p>[REDACTED]</p>	<p>Page 77</p> <p>[REDACTED]</p>

<p style="text-align: right;">Page 78</p> <p>[REDACTED]</p>	<p style="text-align: right;">Page 80</p> <p>[REDACTED]</p>
<p style="text-align: right;">Page 79</p> <p>[REDACTED]</p>	<p style="text-align: right;">Page 81</p> <p>1 Q. All right. Let's go to the next one. I</p> <p>2 will tell you what the next one is in a second.</p> <p>3 (Exhibit No. 4 was marked</p> <p>4 for identification.)</p> <p>5 BY MS. DUVDEVANI:</p> <p>6 Q. All right. The court reporter has just</p> <p>7 designated as Exhibit 4 a screenshot of a video</p> <p>8 containing Bates stamp STX0806003. The associated</p> <p>9 video is designated as STX0806004.</p> <p>10 And that is the one that we are going to</p> <p>11 watch next. So let's do our same on the count of</p> <p>12 three.</p> <p>13 A. Okay.</p> <p>14 Q. Let me know when you have it.</p> <p>15 A. I am ready.</p> <p>16 Q. Okay. 1, 2, 3.</p> <p>17 [Video played.]</p> <p>18 THE WITNESS: It's over.</p> <p>19 BY MS. DUVDEVANI:</p> <p>[REDACTED]</p>

21 (Pages 78 - 81)

[illegible]

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[REDACTED]

22 Q. Okay. So the next video that we are going

23 to watch, unless Mr. Miller is about to give me another

24 folder, all I have is a document that says "File

25 Provided Natively."

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1 So I think we are going to get the

2 screenshot folder right now, and we are. Okay.

3 (Exhibit No. 7 was marked

4 for identification.)

5 BY MS. DUVDEVANI:

6 Q. All right. So the court reporter has just

7 handed you a screenshot designated as Exhibit 7

8 containing the Bates stamp STX0805999, that's

9 associated with the video containing Bates stamp

10 STX0806000.

11 A. I've got it.

12 Q. Okay. All right. So on my three again.

13 1, 2, 3.

14 [Video played.]

15 THE WITNESS: It's done.

16 BY MS. DUVDEVANI:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

24 Q. Okay. All right. And then the last video

25 that I want to watch today, I do not have an associated

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1 screenshot. It goes with order No. 38023249.

2 Do we know which video it is? It's video

3 STX0806021. So on my list, that's the second to last

4 one.

5 A. Yep, I will pull that up.

6 MR. FORD: Just for the record, we are

7 going to mark that as the next exhibit?

8 MS. DUVDEVANI: Yeah. So that video will

9 be Exhibit 8, but there was no accompanying --

10 MR. FORD: Screenshot?

11 MS. DUVDEVANI: -- screenshot that was

12 produced along with that video for some reason.

13 So on three, one more time. 1, 2, 3.

14 [Video played.]

15 (Exhibit No. 8 was marked

16 for identification.)

17 THE WITNESS: It's done.

18 BY MS. DUVDEVANI:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

1 REPORTER'S CERTIFICATE

2 STATE OF UTAH)

)

3 COUNTY OF SALT LAKE)

4 I, ABIGAIL D.W. JOHNSON, a Certified
5 Shorthand Reporter and Registered Professional
6 Reporter, hereby certify:

7 THAT the foregoing proceedings were
8 taken before me at the time and place therein set
9 forth, at which time the witness was placed under oath
10 to tell the truth, the whole truth, and nothing but the
11 truth; that the proceedings were taken down by me in
12 shorthand and thereafter my notes were transcribed
13 through computer-aided transcription; and the foregoing
14 transcript constitutes a full, true, and accurate
15 record of such testimony adduced and oral proceedings
16 had, and of the whole thereof.

17 I FURTHER CERTIFY that I am not a
18 relative or employee of any attorney of the parties,
19 nor do I have a financial interest in the action.

20 () Review and signature was requested.

21 () Review and signature was waived.

22 (X) Review and signature was not requested.

23 I have subscribed my name on this

24 6th day of Jul 

25

ABIGAIL D.W. JOHNSON, RPR, CRR, CRC